

A091 (Rev. 8/01) Criminal Complaint

United States Court
Southern District of Texas
FILED

SEP 16 2016

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

Ramon DELACRUZ JR.

CRIMINAL COMPLAINT

Case Number: V-16-64m

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 01/2006 - 12/2013 in Starr County County, in the

(Date)

Southern District of Texas defendant,

Ramon DELACRUZ JR.

did knowingly and intentionally conspire to possess with intent to distribute more than 1000 kilograms (gross weight) of marijuana, a Schedule I Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts

Official Title

See Attached Affidavit.



Signature of Complainant
Special Agent Steven Greenwell

Printed Name of Complainant

Submitted by reliable electronic means, sworn to and
signature attested telephonically per Fed.R.Crim.P. 4.1

September 16, 2016

Date

at

Corpus Christi, Texas

City and State

Jason B. Libby, U.S. Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Steven Greenwell, being duly sworn according to the law, depose and state:

I am a Special Agent for the U.S. Department of Homeland Security, Homeland Security Investigations (HSI), assigned to the HSI ASAC Corpus Christi, Victoria office. I have been a Special Agent with HSI for approximately eighteen (18) years, including the time spent as a Special Agent with the legacy Immigration and Naturalization Service (INS). During this time, I have been assigned to various investigative units and as such, have conducted investigations various types, including investigations of drug smuggling/trafficking, as well as other programmatic areas. I have participated in and supervised task force investigations, to include investigations conducted while assigned to the Houston High Intensity Drug Trafficking Area (HIDTA) Major Drug Squads. I have participated in marijuana, cocaine, methamphetamine and other illicit drug smuggling investigations as well as related enforcement activities. I have had extensive training and experience in the debriefing of confidential sources, defendants, and witnesses regarding drug smuggling. I have in the past prepared affidavits in support of criminal complaints pursuant to drug and alien smuggling investigations. I am familiar with the means and methods of operation used by drug smugglers.

Since this Affidavit is being submitted for the limited purpose of obtaining an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are essential to establish the necessary foundation to establish probable cause for the issuance of the arrest warrant.

As a result of my personal participation in this investigation and of reports, oral and written, made to me by other law enforcement agents, investigators, deputy sheriffs and

police officers, I am familiar with the circumstances of the offenses described in the Affidavit. On the basis of this direct participation and on the basis of my training and experience set forth herein, I state the facts contained in this Affidavit show the following:

That there is probable cause to believe that Ramon DELACRUZ Jr., a.k.a. Ramey DELACRUZ, a sworn peace officers currently employed in a law enforcement capacity at the Rio Grande City Police Department, Rio Grande City, Texas, is in violation of Title 21 USC 846, Conspiracy to Possess with Intent to Distribute.

FACTS AND CIRCUMSTANCES OF THE PREDICATING INVESTIGATION

On or about January 21, 2013, a stop made by the Victoria County Sheriff's Office (VCSO) in Victoria County, Texas resulted in the seizure of approximately six hundred (600) pounds of marijuana. The marijuana was found concealed in an aftermarket compartment constructed in a "Sooner" horse trailer. The Sooner trailer was also carrying two (2) race horses. This seizure led to the arrest of one person, seizure of the truck and trailer, the race horses and the marijuana. This arrest and seizure was the predicate event to a lengthy joint investigation undertaken with the intent of discovering the identification of those responsible for the importation and smuggling of that six hundred (600) pound load of marijuana into and throughout the United States.

The resulting joint investigation ultimately revealed that the source of supply (SOS) of the marijuana as the BELTRAN drug trafficking organization (DTO). It was revealed the BELTRAN DTO is made up of family members located in Rio Grande City, Texas. It was also discovered that the BELTRANs DTO owns and utilizes ranches located near highway 755

and La Sagunada road in the Rio Grande City, as well as race horses and the sport of horse racing to facilitate their drug smuggling activities and launder the proceeds from this illicit activity. Moreover, it was discovered that the BELTRAN DTO had utilized the Sooner and other trailers, as well as other drivers and co-conspirators, to smuggle thousands of pounds of marijuana from the ranches in the Rio Grande Valley to areas near Dallas, Houston, Conroe, Elgin, Texas and Baton Rouge, Louisiana from early 2008 to late 2013.

In January of 2016, five (5) members of the BELTRAN DTO were indicted in the Southern District of Texas (SDOT) for violation of Title 21 USC 841 and 846. This indictment led to four (4) arrests and two (2) convictions for the above mentioned violations of law.

Additional information and evidence was then presented to the sitting Grand Jury in the SDOT in May, July and August of 2016 leading to the indictment of ten (10) additional members of the BETRAN DTO. These indictments resulted to the arrest of nine (9) additional individuals affiliated with the BELTRAN DTO.

Following these and other investigative and enforcement activities, investigators have developed many cooperating sources of information (CS). These CSs began providing first-hand information to investigators revealing the manner and means by which the BELTRAN DTO received and transported marijuana from the BELTRAN ranch to points north. Moreover, the CSs began revealing how the BELTRAN DTO was transform from a marijuana transportation organization to a “ripping crew”.

Your affiant knows that, based on training and experience, a transportation organization typically transports the illicit narcotic from one location, usually near the border, to the final or transshipment location on behalf of a narcotics source of supply (SOS), such as the

Gulf Cartel. A ripping crew steals marijuana from the SOS or other transportation organizations and then sold the same marijuana to their own distributors located in larger cities.

The CSs revealed to investigators how the BELTRAN DTO was able to steal marijuana loads many times over without being held accountable by the SOS by utilizing, among other things, local law enforcement, to facilitate this dangerous and illicit conduct.

INFORMATION RECEIVED FROM CONFIDENTIAL SOURCES

The following is a summary, in relevant part, of the information provided by the CSs regarding their knowledge of the BELTRAN DTO. The CSs have been determined to be credible and reliable as the CSs were in a position to know such information and much of the information provided to law enforcement has been corroborated through independent investigation.

On or about May 12, 2016, an individual hereinafter identified as CS 6 provided information to law enforcement indicating an instance whereby rifles and other tactical equipment which had been used in a kidnap and murder were brought to the BELTRAN ranch to be hidden. At the request of Gulf Cartel leader Comandante Puma, Ramiro and Rodolfo BELTRAN put the rifles and tactical vests in a box which was buried in the ground near a barn on the ranch. When Ramiro and Rodolfo later discovered the rifles had been used in a crime, they asked a police officer named "Ramey" DELACRUZ to remove and dispose of the rifles. According to CS 6, DELACRUZ took the rifles to a gun store in Rio Grande City owned by a friend of DELACRUZ's and left the rifles with that person for sale/disposal. CS 6 also knows DELACRUZ often scouted the highways within Starr County for law enforcement presence when the BELTRANs were smuggling loads of marijuana.

Your affiant knows that, based on experience in this investigation, ammunition, magazines and other tactical equipment was found buried in bunkers on the BELTRAN ranch in or about September of 2011 pursuant to the execution of a search warrant by member of the Starr County HIDTA.

On or about August 02, 2016, an individual hereinafter identified as CS 9 provided information to law enforcement indicating that Ramey DELACRUZ, a deputy at the time with the Starr County Sheriff's Office as well as a friend of Ramiro BELTRAN, provided official law enforcement documents used by the BELTRAN DTO to facilitate the ripping and smuggling of loads of marijuana. According to this and other CSs, it was commonplace for the BELTRAN DTO to rip (steal) portions of the loads of marijuana they had been contracted to smuggle. A law enforcement interdiction would then be staged to provide the BELTRANs cover for the ripped load of marijuana. Official law enforcement documentation from the staged interdiction was produced and provided to the marijuana source of supply. According to CS 9, DELACRUZ would provide this official documentation directly to CS 9 so that CS 9, as directed by members of the BELTRAN DTO, could then manipulate the documents to reflect the data prescribed by those same members of the BELTRAN DTO. DELACRUZ was paid for these services with marijuana from Ramiro BELTRAN Sr.

Your affiant knows that, based on experience in this investigation, the average load of marijuana the BELTRANs smuggled weighed approximately six hundred (600) pounds and the ripped loads of marijuana coming from the border were equal or near to that amount of weight. Additionally, your affiant knows that, based on experience, a SOS would require proof from those with whom they conspire, i.e., a transportation organization, that that load of illicit narcotics had been interdicted by law enforcement when it was alleged by that person that this

had occurred. This is required by the SOS as an effort to prevent transporters and other facilitators from stealing the load of narcotics from the SOS upon entry in the U.S. Your affiant also knows that, based on experience, U.S. law enforcement, pursuant to respective policy and procedure, provides individuals with seizure receipts or inventories when interdictions occur.

On or about September 09, 2016, an individual hereinafter identified as CS 12 provided information to law enforcement regarding the BELTRAN DTO and Ramey DELACRUZ. CS 12 stated that in or about late 2011 or early 2012, DELACRUZ asked CS 12 to provide a driver and vehicle to transport a load of marijuana from near the Texas/Mexico border in or near Rio Grande City. CS 12 was provided the date and time the vehicle and driver would be needed. CS 12 complied and provided the requested information to DELACRUZ. CS 12 was present in the area on the date and time in which the driver provided by CS 12 was to pick up the marijuana. CS 12 observed the driver and vehicle coming out from the area where the marijuana was picked up and observed the vehicle was obviously loaded with marijuana. CS 12 knew the load vehicle was carrying five to six hundred (500-600) pounds of marijuana. CS 12 then lost sight of the load vehicle for a short period of time but later found it in route to a prescribed staging location near highway 755 in Rio Grande City. CS 12 also observed DELACRUZ in his unmarked police vehicle, a white Ford F-150 four door pickup, leading the load vehicle to the stash house. CS 12 later received a call from DELACRUZ instructing CS 12 to scout the area for law enforcement presence until things "cool down". CS 12 later observed a convoy of vehicles, including the white Ford F-150 four door police vehicle, depart from the area of the stash house and proceed down La Sagunada towards the BELTRAN ranches. CS 12 later received a call from DELACRUZ advising that a report would be needed. CS 12 then called another police officer and made him aware that a load of marijuana was at the stash house off

755. Law enforcement officers then went to the stash house and seized approximately two hundred (200) pounds of marijuana and returned to their station to complete the processing of the paperwork involved in such a seizure. A few hours later, CS 12 called the police officer and asked for a report. The police officer said he could make the report but it would be a shorter version of the actual report. CS 12 later met with the police officer and received a short version of the actual report. The shorter version of the actual report indicated a seizure of the five or six hundred (500-600) pounds. CS 12 later gave this report to DELACRUZ. A while later, CS 12 was instructed to meet with DELACRUZ. CS 12 later met with DELACRUZ in his Ford F-150 work truck. CS 12 sat in the back seat of the truck as a person, later identified from a photographic lineup as Jesus BELTRAN, was sitting in the front passenger seat. At that point, CS 12 observed BELTRAN paying DELACRUZ counting out five thousand dollars (\$5,000) cash. BELTRAN then told DELACRUZ to take care of them, motioning to CS 12. DELACRUZ then handed CS 12 one thousand dollars (\$1,000) cash and CS 12 left. CS 12 stated on or about 2012 or 2013, DELACRUZ asked CS 12 to scout highway 755 for the presence of law enforcement when the BELTRANs were smuggling marijuana out from their ranches. DELACRUZ had given CS 12 a "Boost" mobile phone with push to talk capability. At DELACRUZ's request, CS 12 once met with DELACRUZ at the County Store of highway 755 while scouting. CS 12 parked next to DELACRUZ and had a discussion through the opened windows of the vehicle. CS 12 observed a black Chevrolet 2 door pickup parked next to DELACRUZ on the other side of his vehicle. CS 12 recognized the driver as Jesus BELTRAN. Jesus and DELACRUZ were also speaking through the open windows. CS 12 identified the other person in the vehicle as Ramiro BELTRAN Jr. Later while scouting, CS 12 was aware that

CS 12 and others were on group talk with multiple people and at times could recognize the voice of Jesus BELTRAN.

On or about September 12, 2016, an individual hereinafter identified as CS 13 provided information to law enforcement regarding the BELTRAN DTO and Ramey DELACRUZ. CS 13 stated DELACRUZ and Ramiro BELTRAN Sr. are good friends. DELACRUZ has spent time at the tracks with the BELTRANs and Ramiro has trained a race horse for DELACRUZ. CS 13 stated that in early 2012, CS 13 saw Ramey DELACRUZ give Ramiro BELTRAN Sr. a "cop" radio. According to CS 13, this radio was used by the BELTRAN DTO to scan local police frequencies when smuggling marijuana in the Rio Grande City and surrounding areas. CS 13 also witnessed Ramiro BELTRAN Sr. give DELACRUZ two (2) bundles of marijuana weighing approximately twenty (20) pounds. This was done at the BELTRAN ranch on Wood Bros. Road in Rio Grande City. DELACRUZ came to the ranch in a Starr County Ford Expedition police vehicle.

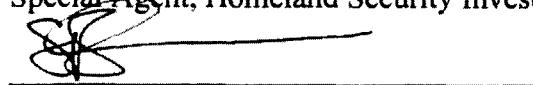
You affiant knows, based on experience in this investigation, on or about August 2, 2016, HSI Falcon Dam agents along with other law enforcement officers, located and seized two (2) Motorola handheld radios at the residence of Rosbel BELTRAN, son or Ramiro BELTRAN Sr. The agents and officers were at the residence attempting to locate and arrest Rosbel BELTRAN as a result of the indictments mentioned in this affidavit. When later tested for functionality, at least one of the radios was found to have active local police frequencies installed and operational. CS 13 was shown a photograph of the two (2) Motorola radios taken and positively identified one of the radios as the radio DELACRUZ provided to Ramiro BELTRAN Sr. Furthermore, you affiant has observed four (4) winning circle photographs taken at the Las Palmas Downs horse racing track in Mission, Texas. In these photographs, Ramon

DELACRUZ Jr. is clearly present with Ramiro BELTRAN Sr. and many of the other BELTRAN family.

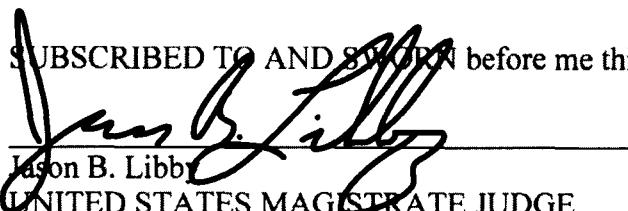
SUMMARY

Your affiant believes, based on the information provided to law enforcement by CS 6, CS 9, CS 12 and CS 13, and independent investigation, there is probable cause to believe that Ramon DELACRUZ Jr., a.k.a. Ramey DELACRUZ, is in violation of Title 21 USC 846, Conspiracy to Possess with Intent to Distribute, to wit: marijuana, a Schedule I Controlled Substance.

Steven Greenwell
Special Agent, Homeland Security Investigations



SUBSCRIBED TO AND SWEARN before me this 16th day of Sept., 2016



Jason B. Libby
UNITED STATES MAGISTRATE JUDGE